

TEXAS GENERAL LAND OFFICE GEORGE P. BUSH, COMMISSIONER

September 19, 2018

The Honorable Donna Bahorich Chair, Texas State Board of Education 1701 North Congress Avenue Austin, TX 78701

Dear Chairwoman Bahorich:

I am in receipt of the State Board of Education (SBOE) September 14, 2018 letter to myself, Mr. Scott Rohrman and Mr. Gilbert Burciago (sic) regarding the recent School Land Board (SLB) decision to release \$600 million to the Available School Fund (ASF). Before addressing the specific items mentioned in the letter, I would like to address several statements from your meeting on September 12, 2018.

First, Mr. Maynard spoke of the history of the Permanent School Fund (PSF) and questioned why the investment management structure has changed over the past two decades. These changes occurred because the Texas Legislature and the voters of Texas have repeatedly entrusted the School Land Board to use its transactional experience and expertise in energy, real estate, and infrastructure to generate attractive investment returns for the benefit of the PSF and to exercise its discretion in determining whether to release money directly to the ASF. I'm proud to say that their trust has been well-rewarded, with SLB investment returns consistently outpacing other funds.

The attached chart shows the one-year and five-year investment returns by both the SLB and SBOE. Also attached is an excerpt from the February 2017 Legislative Budget Board Summary Report of Texas Investment Funds which shows SLB returns to be significantly higher than other funds in the state.

Second, Mr. Bradley commented that the SLB could send the SBOE "four billion today if they wish." This is an assertion which has been repeated by Mr. Bradley on several occasions which is patently false. Most of the money to which he refers has been legally committed to specific real assets investment managers for investment by the SLB and is subject to being called in whole at any time by those investment managers. Until this committed capital is called by the SLB's investment managers, it is invested in the agency pool at the State Treasury, as required by law. The assertion that it is "available" is grossly inaccurate.

Lastly, Mr. Bradley stated that the amount the SLB determined to be available for release was based upon a formula that you would "never get a copy of or understand or they'll ever disclose." I would like to point out that this information was shared with your Chief Investment Officer more than two weeks

prior to your September 12 meeting (please see attached email). So, while in Mr. Bradley's case it is certainly possible he doesn't understand the formula, the assertion that it will never be disclosed is, once again, false.

In fact, the methodology used to make the calculation mirrors the constitutional provision which allows the SBOE to release not more than six percent of the average market value of the fund for the trailing 16 state fiscal quarters. I would highlight that while the SLB unanimously voted to voluntarily release almost the full six percent, and the University of Texas Board of Regents recently announced the release of a similar percentage of its market value to the Texas public university system, the SBOE inexplicably approved a **reduction** of its payout to the ASF down to 2.75%, less than one-half of the percentages adopted by SLB and UT.

Your letter further states that the decision by the SLB reduces funding to the ASF by \$190 million while completely ignoring your own reduction of \$450 million. It appears your board is demanding additional funding from the SLB, while making no commitment for additional funding from the PSF / SBOE. This request is no less than a demand for the SBOE to be bailed out by the SLB. Your letter also states that the SLB's contribution to the ASF does not benefit instructional materials. Again, this could be easily rectified by your board allocating more resources to the ASF.

Most notably, your letter calls for the "restoration of funding...to the PSF/SBOE." Under no circumstance will I reconsider my decision to release \$600 million directly to the ASF. I stand firmly by my vote. However, if the SBOE will consider increasing their spending rate, I will consider additional releases from the SLB.

I consider generating revenue for the Permanent School Fund, and the management of that revenue for the schoolchildren of Texas, to be among the most critical and important functions of the office I hold. I am proud of the record of this agency and this board, not just during my administration, but for the long preceding litany of years of exceptional performance. I remain steadfast in my personal commitment to see as much money as possible go directly to our classrooms.

I'm happy to meet with you to discuss this further, and I hope you will join me in this effort.

Regards,

George F. Bush

Texas Land Commissioner

FIGURE 5 AVERAGE ANNUAL RATES OF RETURN FISCAL YEARS 2011 TO 2015

FUND	RATE OF RETURN
Teacher Retirement System Pension Trust Fund	9.69%
Permanent School Fund-TEA	8.95%
Permanent School Fund-GLO	15.56%
Employees Retirement System Pension Trust Fund	9.09%
Permanent University Fund	8.58%
Permanent Health Fund	8.43%
Tobacco Settlement Permanent Trust Fund	6.47%
Texas Guaranteed Tuition Plan Fund	8.12%
Permanent Public Health Fund	5.94%
National Research University Fund	6.03%

Notes

- Each fund has different investment objectives and strategies, some required by law, that affect its benchmarks and performance.
- (2) PSF-GLO rates of return are based on a year ending June 30, 2011, to 2015.
- (3) The average annual rate of return was determined using the time-weighted rate of return provided by the agencies.

Source: Investing agencies; The University of Texas Investment Management Company.

FIGURE 6
RISK-ADJUSTED RETURN, FISCAL YEARS 2011 TO 2015

FUND	RATE OF RETURN (SHARPE RATIO)
Teacher Retirement System Pension Trust Fund	1.387
Permanent School Fund-TEA	1.114
Employees Retirement System Pension Trust Fund	1.202
Permanent University Fund-UTIMCO	1.489
Permanent Health Fund-UTIMCO	1.449
Tobacco Settlement Permanent Trust Fund	1.231
Texas Guaranteed Tuition Plan Fund	1.272
Permanent Public Health Fund	1.089
National Research University Fund	1.128
No. of the second	

Notes:

- (1) The PSF-GLO invests solely in real estate; therefore, it is not appropriate to use GLO's risk-adjusted return as measured by the Sharpe Ratio in comparison to the other funds.
- (2) The rates of return used in the Sharpe ratio calculations are the monthly rates of return provided by the investing agencies and The University of Texas Investment Management Company.

Source: Investing agencies; The University of Texas Investment Management Company. The formula for the Sharpe ratio follows:

For example, a portfolio with an average annualized return of 10.0 percent during the past five years, the growth of which consistently, year after year, fell within a tight range of 7.0 percent to 12.0 percent, would reflect a higher (better) riskadjusted return than another portfolio that averaged the same 10.0 percent annualized return, but varied greatly year to year (higher volatility), with returns ranging from decreased of 20.0 percent to increases of 50.0 percent. Riskadjusted returns should only be calculated for a minimum period of three years because, for a single year, the statistic is unreliable. For purposes of this report, the Sharpe ratio is constructed for a five-year period of returns.

The Sharpe ratio is a figure used for comparative purposes, and does not reflect different investment objectives and restrictions, which legitimately produce different investment strategies and results for different funds.

The total return amounts used in the calculations were provided by the entities responsible for investing the funds. Each fund provided 60 monthly rates of return that were used to calculate the fund's return and standard deviation. The risk-free rate used for the calculation is the average of the monthly annualized yield of the 90-day Treasury Bill throughout the respective fiscal year. All rates come from the Federal Reserve Economic Database.

USE OF EXTERNAL MANAGERS/ADVISORS FOR INVESTMENTS

Each of the funds varies in its use of external managers or advisors to invest its assets. **Figure 7** shows the portion of assets managed internally and externally for fiscal year 2015.

Karina Erickson

From:

Rusty Martin

Sent:

Wednesday, September 12, 2018 4:25 PM

To:

Karina Erickson; Don Forse

Subject:

FW: Model

Rusty Martin

Chief Investment Officer
Texas General Land Office
Investment Management Division
1700 N. Congress, Suite 710H
Austin, TX 78701
512/463-5120 (Office)
512/796-4857 (Cell)
512/463-5081 (Fax)
rusty.martin@qlo.texas.gov

It is better to be a lion for a day than a sheep all your life. Elizabeth Kenny

From: Rusty Martin

Sent: Tuesday, August 28, 2018 10:20 AM

To: 'Timmins, Holland' < Holland. Timmins@tea.texas.gov>

Subject: RE: Model

No worries.

Rusty Martin

Chief Investment Officer
Texas General Land Office
Investment Management Division
1700 N. Congress, Suite 710H
Austin, TX 78701
512/463-5120 (Office)
512/796-4857 (Cell)
512/463-5081 (Fax)
rusty.martin@qlo.texas.gov

At is better to be a lion for a day than a sheep all your life. Elizabeth Kenny

From: Timmins, Holland < Holland.Timmins@tea.texas.gov >

Sent: Tuesday, August 28, 2018 10:18 AM

To: Rusty Martin < Rusty Martin@GLO.TEXAS.GOV Cc: Jeff Gordon@GLO.TEXAS.GOV Cc: Jeff Gordon@GLO.TEXAS.GOV <a href="mailto

Subject: RE: Model

Thank you Rusty

From: Rusty Martin < Rusty. Martin@GLO.TEXAS.GOV >

Sent: Tuesday, August 28, 2018 9:45 AM

To: Timmins, Holland < Holland.Timmins@tea.texas.gov >

Cc: Jeff Gordon < Jeff.Gordon@GLO.TEXAS.GOV>

Subject: RE: Model

Hi, Holland. Attached is the info we sent to Senator Watson's office. Thanks ... Rusty.

Rusty Martin

Chief Investment Officer
Texas General Land Office
Investment Management Division
1700 N. Congress, Suite 710H
Austin, TX 78701
512/463-5120 (Office)
512/796-4857 (Cell)
512/463-5081 (Fax)
rusty.martin@glo.texas.gov

It is better to be a lion for a day than a sheep all your life. Elizabeth Kenny

From: Timmins, Holland < Holland. Timmins@tea.texas.gov >

Sent: Monday, August 27, 2018 2:03 PM

To: Rusty Martin < Rusty.Martin@GLO.TEXAS.GOV >

Subject: RE: Model

Can you also send me the inception date for the internal program?

Thanks, Holland

From: Timmins, Holland

Sent: Monday, August 27, 2018 10:30 AM

To: 'Rusty Martin' < Rusty.Martin@GLO.TEXAS.GOV

Subject: Model

Rusty,

Can I get a copy of the model and worksheet used to determine amount of the distribution?

Thanks,

Holland

B. Holland Timmins, CFA
Chief Investment Officer and Executive Administrator
Texas Permanent School Fund
400 W. 15th St, Suite 1100
Austin, TX 78701
(512) 463-9169

SECRETARY'S CERTIFICATE OF ADOPTION OF RESOLUTON BY THE SCHOOL LAND BOARD OF THE STATE OF TEXAS

I, Stephanie Crenshaw, certify that:

I am the duly qualified and acting Secretary of the School Land Board of the State of Texas.

The following is a true copy of a resolution adopted by the School Land Board of the State of Texas at a meeting that was legally held on August 21, 2018 and entered in the minutes of the meeting contained in the regularly maintained business records of the Board.

RESOLUTION OF THE SCHOOL LAND BOARD OF THE STATE OF TEXAS

The School Land Board of the State of Texas duly constituted and meeting in a regular Board Meeting on the 21st day of August 2018 takes the following action and adopts the following resolution:

WHEREAS, Section 51.413 of the Natural Resources Code authorizes the Board to, by a resolution adopted at a regular meeting, release from the real estate special fund account funds previously designated under Section 51.401 or managed, used, or encumbered under Sections 51.402 or 51.4021 to be deposited in the State Treasury to the credit of the available school fund or the State Board of Education for investment in the permanent school fund; and

WHEREAS, the Chief Investment Officer of the General Land Office has performed the analysis required by Title 31, Texas Administrative Code, Section 151.6, provided the results of such analysis to the Board, and made recommendations to the Board; and

WHEREAS, the Board has determined that it is in the best interests of the permanent school fund to release certain funds from the real estate special fund account that shall be deposited in the State Treasury to the credit of the available school fund in each of the individual years of the next-approaching fiscal biennium; and

WHEREAS, the staff of the General Land Office in administrative support of the Board has advised the Board that taking such action conforms with the statutory authority granted by the Legislature in Section 51.413 of the Natural Resources Code;

NOW THEREFORE, the Board resolves this day to release funds from the real estate special fund account in the following amounts:

- (1) Three hundred million dollars (\$300,000,000.00) during the State's 2020 fiscal year, such funds to be deposited in the State Treasury to the credit of the available school fund. Such funds will be released in four quarterly installments of 75 million dollars (\$75,000,000.00) each on the 25th day (or the next succeeding business day if the 25th day is not a business day) of November 2019, February 2020, May 2020, and August 2020, respectively; and
- (2) Three hundred million dollars (\$300,000,000.00) during the State's 2021 fiscal year, such funds to be deposited in the State Treasury to the credit of the available school fund.

Such funds will be released in four quarterly installments of 75 million dollars (\$75,000,000.00) each on the 25th day (or the next succeeding business day if the 25th day is not a business day) of November 2020, February 2021, May 2021, and August 2021, respectively.

The above resolution is in conformity with the statutory authority of the School Land Board of the State of Texas, has not been modified or repealed, and is in full force and effect.

Stephanie Crenshaw

Secretary, School Land Board of the State of Texas

Date



MEMORANDUM

TEXAS GENERAL LAND OFFICE • GEORGE P. BUSH • COMMISSIONER

Date:

August 14, 2018

To:

George P. Bush, *Chairman*Gil Burciaga, *Member*Scott Rohrman, *Member*

From:

Rusty Martin, Chief Investment Officer

Subject:

8/21/2018 SLB Meeting: Agenda Item #4

Consideration and possible action on resolution to release funds from the Real Estate Special Fund Account, and other matters in connection

therewith.

SUMMARY: This agenda item affords the School Land Board ("SLB") the opportunity to consider the release of funds during fiscal years 2020 and 2021 from the Real Estate Special Fund Account ("RESFA") to either the Available School Fund ("ASF") or the State Board of Education ("SBOE") for investment in the Permanent School Fund ("PSF").

DETAILS: Section 51.413 of the Natural Resources Code authorizes the SLB, by resolution, to release funds from the RESFA to the ASF or to the SBOE for investment in the PSF. Title 31, Texas Administrative Code, Section 151.6 requires the Chief Investment Officer of the General Land Office to perform an analysis regarding the potential release of money from the RESFA by July 31 of each even-numbered year; provide the results of such analysis to the SLB; and make recommendations to the SLB concerning the potential release of money from the RESFA. Accordingly, I have performed the analysis required by and described in Title 31, TAC, Section 151.6, and the results of such analysis are as follows:

\$345 million
\$655 million

Title 31, TAC, Section 151.6 also provides flexibility to the SLB to determine the "actual amounts to be released to either the ASF or the SBOE for investment in the PSF in each of the individual years of the next-approaching fiscal biennium and the actual dates of the releases." To aid the Board in making these determinations, I have attached a spreadsheet describing several options for the Board to consider in making its decision.

RECOMMENDATION: I recommend that a total amount of <u>up to \$655 million</u> be released from the RESFA during <u>fiscal years 2020 and 2021</u> to either the ASF, the SBOE for investment in the PSF, or some combination thereof, as determined by the Board. I also recommend that the total annual amount of each release from the RESFA be completed in four equal quarterly installments during each of the fiscal years 2020 and 2021.

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FY2020-2021 Release Calculation	\$311,566,185 =(F7) at March 31, 2018	\$310,000,000 FY 2020 Release Amount Available \$345,304,685 = (M8+ P3) at March 31, 2018	\$345,000,000 FY 2021 Release Amount Available																																															
FY2020-20	(1)(a)	(1)(b)	(1)(c(ii)																																															
4x Average Quarterly	Change in 6% of	Trailing 16-Quarter Avg. Market Value	of Portfolio		33,738,501	31,271,757	29,601,376	27,967,643	26,617,961	25,670,626	24,922,638	24,306,203	23,580,488	23,232,425	22,576,572	21,903,822	21,336,737	20,581,388	011,070,01																															
Average Quarterly 43		Trailing 16-Quarter Avg. Market Value	of Portfolio	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	\$8,434,625	\$7,817,939 \$	\$7,400,344 \$				\$6,230,659 \$						\$5,334,184 \$	\$3,143,347 \$ \$4,080,104 \$	\$4.849,657	\$4,768,997	\$4,780,128	\$4,816,084	\$4,876,214	\$4,914,558	\$4,990,467	\$5,016,944	\$4,996,487	\$4,967,206	\$4,894,919	\$4.791.104	\$4,679,126	\$4,631,833	\$4,664,028	\$4,688,261	\$4,700,076	\$4.567.466	\$4,438,996	\$4,317,099	\$4,133,796	\$3,964,444	\$3,828,407	\$3,693,060	\$3,579,979	\$3,487,833	\$3,309,152	\$3,445,010				
Quarterly Change	in 6% of	Trailing 16-Quarter Avg. Market Value	of Portfolio		\$10,668,785	\$11,962,288	\$11,359,621	\$10,288,829	\$8,711,900	\$7,560,931	\$6,561,563	\$6,891,311	\$6,694,224	\$7,337,357	\$7,339,713	\$7,233,283	87,223,095	\$6,760,797	\$5,825,233	\$5,280,765	\$4,824,688	\$4,890,103	\$4,922,559	\$4,568,978	\$4,895,630	\$5,107,979	\$4,973,637	\$5,501,971	\$4 648 713	\$4,964,941	\$4,201,701	\$4,148,906	\$4,324,762	\$4,534,666	\$5,458,860	\$5.852.173	\$5,536,064	\$5,783,530	\$5,319,258	\$4,780,664	\$4,505,139	\$4,145,387	\$3,856,418	\$3,845,193	\$3,173,294	\$3,440,010				
	Jo %9	Trailing 16-Quarter Avg. Market Value	of Portfolio	\$311,566,185	\$300,897,399	\$277,467,776	\$266,108,155	\$255,819,327	\$247,107,427	\$239,546,497	\$232,985,133	\$219,200,650	\$212,506,426	\$205,169,069	\$197,829,356	\$190,596,074	\$183,372,978	\$170,012,162	\$164,343,038	\$159,062,273	\$154,237,585	\$149,347,483	\$144,424,923	\$139,855,945	\$134,960,314	\$129,852,336	\$124,878,699	\$119,576,727	\$110 214 068	\$105.249.127	\$101,047,426	\$96,898,520	\$92,573,758	\$88,039,092	\$82,580,232	\$71.328.062	\$65,791,999	\$60,008,469	\$54,689,211	\$49,908,547	\$45,403,407	\$41,258,020	\$37,401,602	\$33,556,409	\$30,383,115	\$20,938,105				
020-2021	9	# of Quarters	in Average	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	91	16	10	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	0 T	51	13	12	11
RESFA Release Amount Available for FY 2020-2021	3	Training 16-Quarter Avg. Market Value	of Portfolio	5,192,769,744	5,014,956,658	4,624,462,938	4,435,135,924	4,263,655,447	4,118,457,121	3,992,441,612	3,003,003,330	3,653,344,162	3,541,773,761	3,419,484,486	3,297,155,941	3,176,601,229	3,056,216,308	2,836,137,856	2,739,050,633	2,651,037,889	2,570,626,422	2,489,124,712	2,407,082,055	2,330,932,414	2,249,338,573	2,164,205,597	2,081,311,643	1,992,943,432	1,836,901,128	1,754,152,110	1,684,123,759	1,614,975,325	1,542,895,959	1,467,318,195	1,376,337,198	1.188.801.035	1,096,533,310	1,000,141,146	911,486,845	831,809,109	756,723,451	687,633,672	623,360,040	559,273,482	506,385,242	446,906,411	386 848 589	363,875,625	359,045,680	348,695,363
ase Amount Av		Market Value	of Portfolio	6,520,852,679	6,506,092,988	6,228,714,036	6,019,016,637	5,632,914,939	5,264,161,237	4,932,771,512	4,913,394,392	4,633,407,456	4,522,256,811	4,415,667,183	4,281,422,566	4,103,743,733	3,872,671,065	3 448 136 902	3,285,734,816	3,199,481,802	3,275,329,015	3,309,741,714	3,247,913,103	3,183,074,633	3,077,214,956	2,921,867,527	2,646,281,035	2,303,026,411	2,352,547,177	2,177,584,997	2,069,791,919	1,957,467,218	1,894,741,334	1,877,530,910	1,912,898,337	1.997.059.192	2,029,518,850	1,877,573,175	1,715,087,344	1,595,564,259	1,434,421,982	1,308,575,987	1,218,753,710	1,028,562,891	1,057,131,381	963,416,973	685 497 110	421,834,965	472,899,168	410,722,224
RESFA Rele			Date	3/31/2018	12/31/2017	6/30/2017	3/31/2017	12/31/2016	9/30/2016	6/30/2016	3/31/2016	9/30/2015	6/30/2015	3/31/2015	12/31/2014	9/30/2014	6/30/2014	3/31/2014	9/30/2013	6/30/2013	3/31/2013	12/31/2012	9/30/2012	6/30/2012	3/31/2012	12/31/2011	6/30/2011	3/31/2011	12/31/2010	09/30/10	06/30/10	03/31/10	12/31/09	60/08/60	06/30/09	12/31/08	80/08/60	80/08/90	03/31/08	12/31/07	20/08/60	20/08/90	03/31/07	12/31/06	90/30/06	09/30/06	12/31/05	09/30/02	90/08/90	03/31/05

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322,683,466	302,113,371	279,686,087	252,926,505	224,673,059	198,594,947	171,393,969	160,406,561	138,462,071
487,244,231	459,104,358	440,243,577	394,193,734	328,985,510	280,197,879	193,368,785	182,351,052	138,462,071
09/30/04	06/30/04	03/31/04	12/31/03	60/30/60	06/30/03	03/31/03	12/31/02	09/30/05
	487,244,231	487,244,231 459,104,358	487,244,231 459,104,358 440,243,577	487,244,231 459,104,358 440,243,577 394,193,734	487,244,231 459,104,358 440,243,577 394,193,734 328,985,510	487,244,231 459,104,358 440,243,577 394,193,734 328,985,510 280,197,879	487,244,231 459,104,358 440,243,577 394,193,734 328,985,510 280,197,879 193,368,785	487,244,231 459,104,358 440,243,577 394,193,734 328,985,510 280,197,879 193,368,785 182,351,052

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Options for Allocating the RESFA Release for Fiscal Years 2020-2021

Total Amount	Total Amount to be Allocated	FY 2020	FY 2021		
(\$ million)		310	345		
	Option A (\$ million)	Option B (\$ million)	Option C (\$ million)	Option D (\$ million)	Option E (\$ million)
	FY 2020 FY 2021 FY 2020)20 FY 2021	FY 2020 FY 2021	FY 2020 FY 2021	FY 2020 FY 2021
ASF	300 300	300 300	0 0	210 245	155 172.5
SBOE	0 0	10 45	310 345	100 100	155 172.5

TXGLO PSF RESFA Release History (Fiscal Years 2002-2019)

Amounts Released	Directly to ASF	(\$ millions)												300						300 2	009
Amounts Released	to SBOE for Investment	(\$ millions)		95	132	261	78	78	100	100	100	100	250	250	130	150	175	200	235	255	2,689
	Fiscal	Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	

¹ Source: TXGLO Financial Reporting Division Reconciliation to RESFA Activity ² To be released in four equal quarterly installments beginning in November 2018.

	TXGLO Gross F	Returns	SBOE Gross	Returns
Fiscal Year Ended	1-Year	5-Year*	1-Year	5-Year*
31-Aug-17				
Excluding cash	18.27%	13.84%	11.96%	8.26%
Including cash	10.35%	7.77%		
31-Aug-16				
Excluding cash	10.58%	14.24%	7.61%	7.77%
Including cash	5.51%	8.04%		
31-Aug-15				
Excluding cash	11.32%	15.38%	-3.36%	5.99%
Including cash	5.79%	8.83%		